



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 9, 2008

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Approval Of Map And Execution Of Agreements For 222 West Alamar Avenue

### RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map No. 20,771 for a subdivision at 222 West Alamar Avenue, (finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map), and other standard agreements relating to the approved subdivision.

### DISCUSSION:

A Tentative Map for a subdivision located at 222 West Alamar Avenue (Attachment 1) was conditionally approved on December 5, 2007, by adoption of the Staff Hearing Officer's Conditions of Approval, Resolution No. 102-07 (Attachment 2). The project involves the construction of a two-story building containing three residential condominium units. The Staff Hearing Officer's approval was appealed to the Planning Commission. On February 7, 2008, the Planning Commission denied the appeal and upheld the Staff Hearing Officer's approval.

In accordance with the Staff Hearing Officer's approval, the Owners (Attachment 3) have signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit No. PBW2008-00771. It is necessary that Council approve the Parcel Map since it conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map (Municipal Code, Chapter 27.09.060).

Staff recommends that Council authorize the City Administrator to execute the subject *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*. The *Agreement Assigning Water Extraction Rights* is being processed concurrently with this Council Agenda Report, but will be signed by the Public Works Director in accordance with City Council Resolution No. 102-07.

**THE PARCEL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.**

- ATTACHMENTS:**
1. Vicinity Map
  2. Conditions that are required to be recorded concurrent with Parcel Map No. 20,771 by the Staff Hearing Officer's Conditions of Approval, Resolution No. 102-07
  3. List of Owner(s)

**PREPARED BY:** Mark Wilde, Supervising Civil Engineer/VJ/kts

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

Vicinity Map  
222 West Alamar Avenue



Not to Scale

## ATTACHMENT 2

### CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL MAP NO. 20,771 BY THE STAFF HEARING OFFICER'S CONDITIONS OF APPROVAL, RESOLUTION NO. 102-07

#### 222 West Alamar Avenue

Said approval is subject to the following conditions:

**1. Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

**2. Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.

**3. Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.

**4. Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:

**a. Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the (condominium units) (parcels).

**b. Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.

**c. Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.

**d. Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&R's stating that the green waste will be hauled off site.

**e. Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

## **ATTACHMENT 3**

**LIST OF OWNER(S)**  
222 W. Alamar Avenue

Kevin Fewell